

The opinion in support of the decision being
entered today is not binding precedent of the Board.

Paper 53

Filed by: Trial Section Merits Panel
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4 February 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES
(Administrative Patent Judge Sally Gardner Lane)

CAROL A. WESTBROOK
Junior Party,
(Patent 6,025,126),

v.

JOE W. GRAY,
DANIEL PINKEL, and DOUGLAS TKACHUK
Senior Party,
(Application 09/765,207).

Patent Interference No. 105,207

Before SCHAFER, LANE, and MEDLEY, Administrative Patent Judges.
LANE, Administrative Patent Judge.

JUDGMENT-Request for Adverse - Bd.R. 127(b)

Westbrook has filed a paper requesting that judgment be entered against it as to the

Westbrook claims that remain designated as corresponding to the count. (Paper 50 at 2).

Upon consideration of the record and for reasons given, it is

ORDERED that judgment on priority is entered against junior party CAROL A.

WESTBROOK;

FURTHER ORDERED that CAROL A. WESTBROOK is not entitled to a patent containing claims 1 through 25 of US patent 6,025,126, which claims correspond to count 1, the sole count in the interference; and

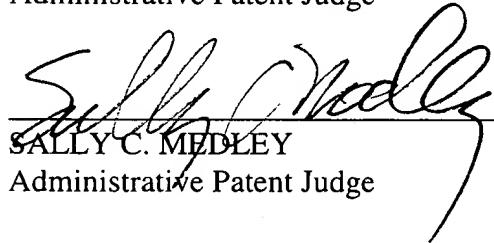
FURTHER ORDERED that a copy of this judgment shall be entered into the administrative records of Westbrook's 6,025,126 patent and Gray's 09/765,207 application.


RICHARD E. SCHAFER

Senior Administrative Patent Judge


SALLY GARDNER LANE

Administrative Patent Judge


SALLY C. MEDLEY

Administrative Patent Judge

BOARD OF PATENT
APPEALS
AND
INTERFERENCES

cc (via electronic):

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